Dated: August 9, 2006

3 REMARKS

This application is a National Phase application of PCT/US04/10229 filed April 2, 2004. Entry of this amendment is respectfully requested prior to examination on the merits.

Applicants believe that no fee is due in connection with the submission of this second preliminary amendment. In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for an required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees in connection with the filing of this document to **Deposit Account No. 50-0661**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted.

Lynn M. Minkowski

Registration No. 47,320 Diversa Corporation 4955 Directors Place San Diego, CA 92121

(858) 526-5450